

REMARKS

Upon entry of the foregoing amendment, Claims 1-6 are pending in this application. The Examiner rejected Claims 1-5 under 35 U.S.C. §103(a). Claims 1, 2, 3 and 5 have been amended and Claim 6 has been added in the foregoing amendment.

Claims 1-6 Are Patentable Over the Cited References

The Examiner rejected Claims 1-4 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0152123 ("Giordano et al.") in view of U.S. Patent Application Publication No. 2003/0125017 ("Greene et al."), and further in view of U.S. Patent No. 5,287,089 to Parsons ("Parsons"). The Examiner rejected Claim 5 under 35 U.S.C. 103(a) as being unpatentable over Giordano et al., Greene et al., and Parsons as applied to Claim 1, and further in view of U.S. Patent No. 6,888,537 to Benson et al. ("Benson et al."). Applicant traverses these rejections for the reasons discussed below.

Claim 1

The button apparatus of Claim 1 requires two types of information transfer. The first type of transfer corresponds to "press information," which is transferred when the conductive pusher is pressed down. The second type of transfer corresponds to information which is transferred when the conductive pusher is touched. The type of information transferred can differ based on whether the conductive pusher is pressed down or merely touched.

Giordano et al. discloses retail transactions between two computers via wireless transceivers. The Examiner admitted that Giordano et al. does not explicitly disclose the use of the human body to serve as an electric-field propagating medium by detecting the electric field induced by the human body. However, the Examiner asserted that Greene et al. teaches that the natural salinity of the human body makes it a conductor of electrical current and that a personal area network takes advantage of this conductivity by creating an external electric field that passes a very small current through the body, over which data is carried.

The Examiner further admitted that the combination of Giordano et al. and Greene et al. does not explicitly disclose a button that comprises a conductive pusher, a switch, and an insulator, but asserted that Parsons discloses a computer input device that comprises: (1) a flexible actuator 10 that is interfaced with a conductive film pattern 22, the combination of which allegedly corresponds to the "conductive pusher"; (2) a central post 38 that can be used as a switching means; and (3) an insulator 20 that can be used to provide spacing between a resistive film 16 and a conductive film 22.

Parsons describes a computer input device for causing a cursor to move. When a curved portion of the elastomeric button 10 is pushed, it is deformed and causes the resistive film 16 to contact the conductive film pattern 22. The size of the contact area depends on the amount of the pressure applied to the elastomeric button 10, and the position of the contact area depends on the direction of the pushing force. The size and the position of the contact area can be detected by the conductive film pattern 22. The amount of pressure and the direction of the force applied to the elastomeric button 10 can be detected as electric signals, and can be used to move a cursor according to the amount of the pressure and the direction of the force applied to the flexible actuator. Parsons also describes a post 38 which may act as an insulated or conductive switch actuator or may be used to actuate a separate electrical switch (Column 3, lines 21-35).

There is no motivation to combine the computer input device of Parsons with either Giordano et al. or Greene et al. in the manner suggested by the Examiner since the elements relied upon by the Examiner in rejecting the claims are not compatible. For example, there is no suggestion that the system described by Giordano et al. could use the personal area network described by Greene et al. The computer input device of Parsons teaches away from Giordano et al. and Greene et al. since Giordano et al. describes using a wireless transceiver to transmit an identification signal and Greene et al. describes inducing a current in a patient. In contrast, the device of Parsons provides an input to a computer, similar to a joystick or mouse.

Even if the references are combined, the combination does not describe communication between a first transceiver and a second transceiver when the user **touches** the conductive pusher. Although the Examiner alleged that the combination of the elastomeric button 10 and the conductive film pattern 22 interfaced with the elastomeric button 10 corresponds to the "conductive pusher," the combination of the elastomeric button 10 and the conductive film pattern 22 does not describe that information is transferred through a path established by a touch of the human body. In order to establish such a path, it is necessary that the pusher is conductive, but the elastomeric button 10 of Parsons is not conductive and thus cannot transfer information through the user's body by the user touching the pusher. The type of information transferred by the combination of the elastomeric button 10 and the conductive film pattern 22 of Parsons is information related to pushing the button, which corresponds to the "press information" recited by Claim 1.

Accordingly, the combination of Giordano et al., Greene et al. and Parsons fails to disclose a conductive pusher configured to be touched and pressed down with a body of the user when the user intends to obtain a commodity or a service from the commodity/service providing apparatus; a second transceiver among the plurality of transceivers, configured to be enabled to communicate with the first transceiver by propagation of the electric field induced in the conductive pusher when the body of the user touches the conductive pusher; and a switch configured to transfer press information of the conductive pusher when the conductive pusher is pressed down, to a second computer that is connected to the second transceiver and conducts an electronic settlement by communicating monetary information with the first computer, as required by Claim 1. Accordingly, Claim 1 should be allowed.

Claims 2- 6

Claims 2-5 directly or indirectly depend from independent Claim 1. Claim 6 is a method claim that corresponds to the apparatus claim, Claim 1. The remarks made above in

Appln. No. Serial No. 10/676,943

Amdt. Dated 9/1/06

Attorney Docket No.: 44471/292886

First Response in Appln, Reply to Office Action of 5/8/2006

Page 9 of 9

relation to patentability of Claim 1 are equally applicable to distinguish Claims 2-6 from the cited references. Thus, Claims 2-6 also should be allowed.

CONCLUSION

The foregoing is submitted as a complete response to the Office Action identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect. If there are any issues that can be addressed via telephone, the Examiner is asked to contact the undersigned at 404.685.6799.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brenda O. Holmes", with a long horizontal flourish extending to the right.

By: Brenda O. Holmes
Reg. No. 40,339

KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530
Telephone: (404) 815-6500
Facsimile: (404) 815-6555